



United States Environmental Protection Agency

## Instructions for Completing EPA Form 3540-16

Pesticide Report for Pesticide-Producing and Device-Producing Establishments  
Reporting Year 2005

Electronic copies of these instructions and EPA Form 3540-16 can be downloaded from  
<http://www.epa.gov/compliance/monitoring/programs/fifra/establishments.html>

**It is unlawful to knowingly falsify all or part of any pesticide production information reported on EPA Form 3540-16. (Section 12(a)(2)(M) of FIFRA).**

### **GENERAL INSTRUCTIONS**

1. Each page of EPA Form 3540-16 has space to enter production for only three products. If you produce more than three products make as many photocopies of the form as you need.
2. Complete report by printing in ink or typing.
3. "Produce" means to manufacture, prepare, compound, propagate, or process any pesticide or device or active ingredient used in producing a pesticide. (Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) §2). "Produce" also means to "manufacture, prepare, propagate, compound or process any pesticide, including any pesticide product pursuant to Section 5 of the Act, any active ingredient or device, or to package, repack, label, relabel, or otherwise change the container of any pesticide or device." (EPA regulations at 40 CFR § 167.3)
4. A company **official must sign** the report in Block 15, and enter the Date in Block 16.
5. For all pages, **complete, at the bottom: "This is Page \_\_\_\_ of \_\_\_\_."**
6. **Establishments with Zero Production/Distribution in 2005.**  
If your establishment did not produce or distribute products subject to this report in 2005, **complete Blocks 1-16**, and check (✓) the Box in Block 14 where it states "Did Not Produce/Distribute in 2005." **Your report is now complete. Sign, date, and submit the report as directed on Page 4.**
7. **Closed Establishments (Out of business/ceased production)**
  - Enter all production and distribution information for 2005. If there was none, check (✓) the Box in Block 14 where it states "Did Not Produce/Distribute in 2005."
  - State on the report that the company/establishment is no longer in business.
  - To inactivate your establishment registration number, please attach your company's request for inactivation on company letterhead.
8. **DO NOT REPORT:**
  - Production or distribution or sale of products NOT produced/repackaged by your establishment, (e.g., no changes are made to the product formulation, container, or label)
  - Products shipped from your supplier directly to your customer
  - Any products for which lines 25-27 are zero
  - Custom-blended products (See Common Questions and Answers - Question 7)
  - Pesticides that are **custom/commercially applied by your establishment's staff**
9. **Submit completed reports** as directed on Page 4. Please make copies of the Reports for your records.
10. **Initial Reports:** Section 7 of FIFRA requires all registered establishments to submit a report to the US EPA **30 days** after receipt of notification of establishment registration. Failure to file the Initial report is an unlawful act and may result in termination of the establishment's registration.

**REPORT DUE DATE: On or before March 1, 2006, even if there has been no production.**  
**Incomplete reports may be returned to the establishment for correction or completion.**

## INSTRUCTIONS - COMPLETING THE REPORT

### Blocks 1-16. Name and Location of Company Headquarters and Producing Establishment

- Blocks 1-4. Enter the Company Name and Headquarters mailing address of the producing establishment. If any information has changed from the previous year, enter a check (✓) in the box.
- Block 5. Enter telephone number of establishment official responsible for the report.
- Block 6. Enter name of establishment official signing report (should match Block 15).
- Block 7. Enter title of establishment official signing report (should be the title of person signing Block 15).
- Blocks 8-13. A label showing the establishment SITE information should appear in Blocks 8-13. **UPDATE IF WRONG.**
- Block 14. Use this block to report that NO PRODUCTION/DISTRIBUTION took place in 2005.  
**Do not list products which you did not produce/distribute.**
- Block 15. Signature of establishment official. If pages are numbered 1 of XX, etc., only 1<sup>st</sup> page must be signed.
- Block 16. Enter date report is signed. If there was "No Production," the report is complete.

### Block 17 - Product Code

- Enter "1" - if product is registered with EPA  
 Enter "2" - if product registration is pending  
 Enter "3" - if product is an Experimental Use Permit  
 Enter "4" - if product is a pesticide device, an unregistered pesticide, or a Special Local Need (SLN) registration

### Block 18 - EPA Product Registration No.

- Product Code 1 - Enter EPA Registration No. (as it appears on product label) (See NOTE below on reporting production of multiple distributor registrations)
- Product Code 2 - Enter EPA File Symbol assigned
- Product Code 3 - Enter the Experimental Use Permit number
- Product Code 4 - For **DEVICES**, leave Block 18 blank  
 For **UNREGISTERED PESTICIDES**, leave Block 18 blank, and attach the chemical formulation of the product, showing the product's active and inert ingredients, their common names, their CAS Registry numbers (if available), and the percentage, by weight of each ingredient (must total 100%). Multiple formulations may appear on the same page; clearly identify each by product name.  
 For stand-alone **SLN REGISTRATIONS**, enter the SLN registration number in Block 18 (e.g., SLN-CA-890022). A "stand-alone" SLN is one for which there are no uses other than the 24(c) uses.

### NOTE: Reporting Distributor Registrations.

- If you produce multiple pesticide products under the same basic EPA registration number (such as distributor products):
- Report the total quantities for all **distributor products** under the basic EPA registration number, and add "and supplementals" following the product name. On a separate paper, list the basic registration number with each distributor company number and brand name, and attach it to the report.

**Block 19 - Product Name.** List the most common brand name. If marketed under alternate brand names, add the wording "and alternate brand names" (or "Alt Br Na" or "ABN") and report total production under all names for the formulation.

### Block 20 - Product Classification

#### Classifications for Devices

14 Water Purifier - Point of Use	15 Water Purifier - Small System	13 Device
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#### Classifications for Pesticides

01 Insecticide	02 Fungicide	03 Rodenticide
04 Herbicide	05 Algaecide	06 Nematocide
07 Plant Regulator	08 Defoliant, Desiccant	09 Disinfectant, Germicide, Sanitizer
10 Antifouling Paint	11 Animal Repellent	12 Other Pesticides (includes Insect Repellents & Slug Baits)
21 Insecticide-Fungicide	44 Herbicide-Fungicide	

16 Multi-Use Active Ingredient (Chemicals that have both pesticidal and non-pesticidal uses). Producers are required to register both the product and their establishment(s) and report production on an annual basis under Section 7 of FIFRA, if a producer has actual or constructive knowledge that a chemical or substance they produce is used or intended for use as an active ingredient in the manufacture of a pesticide. These producers are required to report only the amount of the chemical or substance manufactured and distributed/sold for pesticidal purposes. These chemicals do not have an EPA Reg. No. (This Classification is rarely appropriate).

**Block 21 - Product Type.** Describe the type of product:Enter 1 - Technical material or active ingredient for Manufacturing Use Only productsEnter 2 - End-use product (this includes products where the formulation has been blended, diluted, or changed)Enter 3 - Repackaged or relabeled (does not include any blending, dilution or change in the formulation)Enter 4 - Device**Block 22 - Market Sold/Distributed To*****Domestic Establishments***

Enter 1- if all product was marketed in the United States

Enter 2 -if product was marketed both *in* the United States and *exported*

Enter 3 -if all product was exported

***Foreign Establishments***Enter 1 – Product was marketed in/exported to the United States. *DO NOT REPORT products that were sold to other countries other than the United States.***Block 23 - Use Classification**

Enter 1 - Product label states RESTRICTED USE PESTICIDE at the top of the front label panel

Enter 2 - All other pesticides and devices

**Block 24 - Unit of Measure**

G = Gallons (liquid chemical product)

P = Pounds (dry or solid chemical product)

L = Liters (liquid chemical product)

K = Kilograms (dry or solid chemical product)

T = Tons (short ton = 2,000 lbs. or 907.2 kilograms) (dry or solid chemical product)

U = Units (devices and pesticides that the label does not declare as gallons, pounds, liters, kilograms, or tons)

**Block 25 - Amount Produced Last Year (2005)**

- Do not include amounts which are custom blended by your staff.
- Round all quantities to the nearest whole number.

**Block 26 - Amount Distributed/Sold Last Year (2005) - United States**

- Enter only those products distributed/sold *which were produced by your establishment, regardless when the product was produced;*
- Do not include amounts which are custom blended or custom/commercially applied by your staff.
- Foreign producers should enter only the amount of product or number of devices exported to the United States.
- Round all quantities to the nearest whole number.

**Block 27 - Amount Distributed/Sold Last Year (2005) to Foreign Markets (Exported)**

- Enter the quantity exported from the United States in 2005, regardless of when the product was produced.
- Foreign establishments should leave Block 27 blank.
- Round all quantities to the nearest whole number.

**Block 28 - Amount (Estimated) to be Produced in 2006**

- Enter an estimate of the quantity to be produced in 2006.
- Round all quantities to the nearest whole number.

**Confidentiality.** Under FIFRA Section 7(d) [7 U.S.C. § 136e], information reported in Items 25, 26, 27, and 28 of EPA Form 3540-16 will be treated as business confidential, subject to the provisions of FIFRA Section 10 [7 U.S.C. § 136h]. You are not required to assert a claim of confidentiality on this information.

If you wish to assert a claim of confidentiality for other information you have provided on this form, you must identify by the box number(s) information for which you are asserting a claim of confidentiality. Information so designated will be disclosed by the EPA only to the extent allowed by, and by means of, the procedures set forth in 40 CFR Part 2. If you do not claim the information as confidential upon submission of the report, it may be made available to the public without further notice to you.

**Public Reporting Burden.** The time required to complete this report is estimated to average one hour and 26 minutes, per response, including reviewing instructions, searching data sources, gathering and maintaining data needed, and completing review and collection of information. Send comments regarding this burden estimate or other aspects related to this information collection, including suggestions for reducing this burden, to: Director, OP/ORMI Regulatory Information Division (2137), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, DC 20460, Attention: Desk Officer for EPA, and to the Paperwork Reduction Project, Office of Information and Regulatory Management Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503.

## WHERE TO SUBMIT REPORTS

**DOMESTIC PRODUCERS:** Submit reports to the following EPA Regional Office in which your company headquarters is located.

<b>EPA Regional Offices</b>	<b>States/Terr. Covered</b>	<b>EPA Regional Offices</b>	<b>States/Terr. Covered</b>
<b>U.S. EPA Region 1</b> <b>Lee Weller</b> PO Box 8636 Boston, MA 02114 Telephone: 617-918-1849	<b>CT, MA</b> <b>ME, NH</b> <b>RI, VT</b>	<b>U.S. EPA Region 6</b> <b>Chuck Ruple</b> Pesticides Section (6PD-P) 1445 Ross Avenue Dallas, TX 75202-2733 Telephone: 214-665-6534	<b>AR, LA</b> <b>NM, OK</b> <b>TX</b>
<b>U.S. EPA Region 2</b> <b>Deborah Rosenthal</b> Pesticides Team (MS-500), Building 5 2890 Woodbridge Avenue Edison, NJ 08837-3679 Telephone: 732-321-4391	<b>NJ, NY</b> <b>PR, VI</b>	<b>U.S. EPA Region 7</b> <b>Lou Banks</b> Pesticides Branch (WWPD/PEST) 901 N. 5 <sup>th</sup> Street Kansas City, KS 66101-2798 Telephone: 913-551-7125	<b>IA, KS</b> <b>MO, NE</b>
<b>U.S. EPA Region 3</b> <b>Kyla Townsend-McIntyre</b> Pesticides Programs Branch (3WC32) 1650 Arch Street Philadelphia, PA 19103-2029 Telephone: 215-814-2045	<b>DE, DC</b> <b>MD, PA</b> <b>VA, WV</b>	<b>U.S. EPA Region 8</b> <b>Cornelia Maes</b> Enforcement Division (ENF-PT) 999 18th Street, Suite 300 Denver, CO 80202-2466 Telephone: 303-312-6049	<b>CO, MT</b> <b>ND, SD</b> <b>UT, WY</b>
<b>U.S. EPA Region 4</b> <b>Jacquelyn Wilkerson</b> PCB & Chemical Products Mgmt. Section (APTMD) 61 Forsyth Street, SW Atlanta, GA 30303-8960 Telephone: 404-562-9011	<b>AL, FL</b> <b>GA, KY</b> <b>MS, NC</b> <b>SC, TN</b>	<b>U.S. EPA Region 9</b> <b>Glenda Dugan</b> Pesticides Office (CED-5) 75 Hawthorne Street San Francisco, CA 94105-3901 Telephone: 415-947-4204	<b>AZ, CA,</b> <b>HI, NV,</b> <b>GU, MP</b>
<b>U.S. EPA Region 5</b> <b>Gail Muffitt</b> PTES (DT-8J) 77 W. Jackson Blvd. Chicago, IL 60604-3507 Telephone: 312-886-6008	<b>IL, IN</b> <b>MI, MN</b> <b>OH, WI</b>	<b>U.S. EPA Region 10</b> <b>Theresa Pimentel</b> Pesticides and Toxics Unit (OCE-084) 1200 Sixth Avenue Seattle, WA 98101-1128 Telephone: 206-553-0257	<b>AK, ID</b> <b>OR, WA</b>

**FOREIGN PRODUCERS:** Submit reports to the following EPA Washington, DC address:

<b><u>U.S. Postal Service Mail Address</u></b> <b>Michelle Stevenson</b> US Environmental Protection Agency Agriculture Division (2225A) 1200 Pennsylvania Avenue, NW Washington, DC 20460-0001 USA <b>Telephone:</b> 202-564-4203	<b><u>Courier Delivery Address</u></b> <b>Michelle Stevenson</b> (Room 6102, AR-South) US Environmental Protection Agency Agriculture Division 1200 Pennsylvania Avenue, NW Washington, DC 20004 USA <b>E-mail:</b> <a href="mailto:stevenson.michelle@epa.gov">stevenson.michelle@epa.gov</a>
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**NOTE:** The Agency does not notify you when your Report is received. To ensure the Agency receives the report, you may wish to send it by certified or registered mail, return receipt requested.